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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11                  KADIJA A. WEDAY, *et al.*,

12                  Plaintiffs,

13                  v.

14                  ALEJANDRO MAYORKAS, *et al.*,

15                  Defendants.

16                  CASE NO. 2:21-cv-01595-RSM-JRC

17                  **ORDER ADOPTING REPORT  
18                  AND RECOMMENDATION**

19                  This matter comes before the Court on the Report and Recommendation of Chief  
20                  Magistrate Judge J. Richard Creatura, Dkt. #11, and the Objections filed by Defendants, Dkt. #12.  
21                  The Court agrees with the R&R that, given the factual record, the Court is not being put in the  
22                  position of “ordering the State Department to restaff its embassy in Ethiopia” because the embassy  
23                  has already been restaffed. Defendants have otherwise failed to demonstrate that the Court’s  
24                  involvement in this case hinges on resolving a nonjusticiable political question. The Court further  
                agrees with the R&R’s finding that Plaintiffs have alleged enough facts to survive a motion to  
                dismiss for failure to state a claim. Judge Creatura’s recommendation to not consider the submitted

1 extrinsic evidence is reasonable even if it is contrary to certain cited cases from outside this  
2 District.

3 Accordingly, the Court, having reviewed the Report and Recommendation of Chief  
4 Magistrate Judge J. Richard Creatura, Objections from Defendants, and the remaining record,  
5 ORDERS:

6 (1) The Court adopts the Report and Recommendation.  
7 (2) Defendants' Motion to Dismiss (Dkt. 8) is denied.

8 DATED this 18<sup>th</sup> day of April, 2022.

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11 RICARDO S. MARTINEZ  
12 CHIEF UNITED STATES DISTRICT JUDGE  
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